IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

-

WRIT PETITION NO : 1005 of 2006

Between:

Mohammed Anwaruddin,

s/o Mohammed Ghousuddin,
r/o 17-6-49/2, Dabeerpura, Hyderabad.

..... PETITIONER

AND

1. Commissioner,

Municipal Corporation of Hyderabad,

Tank Bund Road, Saifabad, Hyderabad.

2. Assistant City Planner,

Town Planning Section, Circle No.6,

M.C.H.Complex, Abid Road, Hyderabad.

...RESPONDENTS

* * * *

ORDER:

This writ petition has been filed to declare the action of the respondents in taking steps to remove/demolish the structure in premises bearing No.5-4-2/2, situated at J.N.Road, Abids, Hyderabad, without following the procedure contemplated under Hyderabad Municipal Corporation Act, as illegal and arbitrary.

2. It is stated that the petitioner is running a pan and cool drinks shop at J.N.Road, Abids, Hyderabad after obtaining necessary permission. Without giving any notice and without following due process of law, the respondents are threatening to demolish/remove the said pan shop.

3. Heard the learned counsel for the petitioner.

4. Having regard to the facts and circumstances of the case the respondents are directed not to demolish the pan shop of the petitioner without following due process of law.

5. The writ petition is, accordingly, disposed of. No costs.

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V.ESWARAIAH, J.

Date: 17th January 2006.

Note:

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Issue CC by tomorrow.

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BSB